



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

**I. ADMINISTRATIVE INFORMATION**

Completion Date of Approved Jurisdictional Determination (AJD): August 28, 2020

ORM Number: NAO-2020-00464-JSH

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: VA City: County/Parish/Borough: Goochland County

Center Coordinates of Review Area: Latitude 37.621 Longitude -77.6941

**II. FINDINGS**

**A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

**B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>**

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

**C. Clean Water Act Section 404**

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)<sup>3</sup>

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
SneadRd-PFO	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetlands continue off-site

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide and included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
SneadRd-PEM	0.08 acres	(b)(1) Non-adjacent wetland	Wetlands do not abut any A1-A4 water that contributes water downstream.
SneadRd-POW	0.65 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	The pond is separated from forested wetlands by a man-made berm. There is no surface water connection through the dam to any A1-A4 water.
SneadRd-PSS	0.004 acres	(b)(1) Non-adjacent wetland	Wetlands do not abut any A1-A4 water that contributes water downstream.

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

Information submitted by, or on behalf of, the applicant/consultant: *“Plat of Survey of Two Lots Totalling 5.536 acres at the Intersection of Snead Road and Hockett Road” March 16, 2020, datasheets received 7/16/2020*

This information *is* sufficient for purposes of this AJD.

Rationale: *Data sheets accurately document the wetlands on-site*

\_\_\_ Data sheets prepared by the Corps: *Title(s) and/or date(s).*

Photographs: Google Earth Images – 1994, 2004, 2007, 2016, 2018

Corps Site visit(s) conducted on: *Date(s). March 10, 2020*

\_\_\_ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

\_\_\_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: *Title(s) and/or date(s). Goochland Soil Survey Feb. 1980*

USFWS NWI maps: *Title(s) and/or date(s). NWI map accessed 7/28/2020*

USGS topographic maps: *Title(s) and/or date(s). WGS 1984 accessed 7/28/2020*

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	Goochland Soil Survey dated Feb 1980 – showed the pond was built on a stream
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** N/A

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- C. Additional comments to support AJD:** The 1980 soil survey does not show the pond present but it does appear on the 1994 google image. A site visit was conducted and no connection currently exists between the pond and the forested wetlands on-site.

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